

Amendment dated December 8, 2003  
Reply to Office Action of August 8, 2003  
Application No.: 09/895,435  
Applicants : Francis A. Stewart, Youming Zhang and Bernard Hallet  
Filed : June 30, 2001  
Title : A NEW TYROSINE RECOMBINASE FOR GENETIC ENGINEERING  
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#### Remarks

Claims 1-5, 11-13 and 15-20 were examined and stand rejected in this case. With this Reply, claims 11, 12, 15 and 18 are amended and claims 53-67 are added to more particularly point out and distinctly claim the invention. The amendments and new claims introduce no new matter. For example, support for SEQ ID NOs:7, 8, 9 and 10 is found in the specification at page 12, line 8 - page 13, line 9. Applicants note that, although those sequences are disclosed to be functional variants of TRT' (SEQ ID NO:2), they are not functional variants of TRT (SEQ ID NO:3) because they contain the entire TRT (SEQ ID NO:3) sequence.

Entry of the amendments is respectfully requested. With the current amendments, pending claims are 1-5, 11-13, 15-20, and 53-67.

#### Rejection under 35 U.S.C. 112, first paragraph

Claims 1-5, 11-13 and 15-20 stand rejected under 35 U.S.C. 112, first paragraph as not complying with the written description requirement. It is asserted that the specification provides insufficient written description to support "functional variants" of TRT, SEQ ID NO:3. Applicants respectfully request reconsideration and withdrawal of this rejection based on the following discussion.

Support for the term "functional variants" is found in the specification at page 11, lines 22-35. Examples of functional variants are also provided at page 12, line 1 - page 13, line 9. Those descriptions of functional variants are specific enough that the skilled artisan would understand that the inventors had possession of the claimed compositions. Accordingly, withdrawal of the rejection under 35 U.S.C. 112, first paragraph is respectfully requested.

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#### Information Disclosure Statement

Pursuant to 37 C.F.R. §§§ 1.56, 1.97 and 1.98, Applicants enclose herewith Forms PTO/SB/08A and PTO/SB/08B and a copy of a reference cited therein, which may be deemed relevant to the above-identified application and are made of record to assist the U.S. Patent and Trademark Office in its examination of this Application. The Examiner is requested to fully consider the items and independently assess their teachings. The references included herewith were cited in the PCT Search Report of the corresponding PCT case, PCT/EP02/07176.

With this Information Disclosure Statement, applicants enclose \$180.00, pursuant to 37 C.F.R. 1.97(b). The fee is included in the enclosed check.

#### Conclusion

In light of the claim amendments and the above discussion, applicants respectfully request withdrawal of the current rejection and passage of the current claims, namely claims 1-5, 11-13, 15-20, and 53-67, to allowance.


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Enclosed with this Reply is an Amster, Rothstein & Ebenstein check for \$290.00, covering the \$110.00 fee for one month extension of time, and the \$180.00 fee for the Information Disclosure Statement. No additional fee is deemed necessary to maintain pendency of this application. However, if an unanticipated fee is required, authorization is hereby given to charge any such fee to Deposit Account No. 01-1785.

Respectfully submitted,

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December 8, 2003

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